

Message Text

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ACTION OES-06

INFO OCT-01 EUR-12 IO-13 ISO-00 FEA-01 ACDA-10 AGRE-00
AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 COME-00
DLOS-09 DODE-00 DOTE-00 EB-08 EPA-04 ERDA-07
FMC-02 TRSE-00 H-02 INR-07 INT-05 JUSE-00 L-03
NSAE-00 NSC-05 NSF-02 OMB-01 PA-02 PM-04 PRS-01
SP-02 SS-15 USIA-15 /144 W
-----311018Z 086820 /10

P R 310933Z MAR 77
FM AMEMBASSY LONDON
TO SECSTATE WASHDC PRIORITY 2162
INFO AMEMBASSY PARIS
AMEMBASSY BONN
AMEMBASSY COPENHAGEN
AMEMBASSY DUBLIN
USMISSION EC BRUSSELS
USMISSION GENEVA
AMEMBASSY LUXEMBOURG
AMEMBASSY ROME
AMEMBASSY THE HAGUE
AMEMBASSY BRUSSELS
AMEMBASSY STOCKHOLM
AMEMBASSY OSLO
AMEMBASSY HELSINKI
AMEMBASSY MOSCOW
AMEMBASSY SOFIA
AMEMBASSY BERLIN
AMEMBASSY WARSAW
AMEMBASSY REYKJAVIK

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E.O. 11652: N/A
TAGS: EFIS, NEAFC
SUBJECT: OPENING SESSION: FUTURE OF NEAFC

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1. AFTER OPENING CEREMONIES WERE COMPLETED THE UK
DELEGATE ASKED THAT THE EC OBSERVER BE THE SPOKESMAN
FOR THE MEMBER STATES. MR. HARDY FROM THE EC THEN
REQUESTED THAT THE SEATING ARRANGEMENT BE CHANGED TO
PLACE ALL EEC MEMBERS BE SEATED TOGETHER.

2. TWO SUBGROUPS WERE FORMED TO STUDY CERTAIN ASPECTS

OF THE PAPER PREPARED BY THE WORKING GROUP ON THE FUTURE OF NEAFC WHICH HAD MET EARLIER THIS YEAR.

3. THE FOLLOWING IS MR. HARDY'S COMPLETE STATEMENT:

QUOTE: "I BELIEVE IT WOULD BE USEFUL IF, AT THE START OF OUR WORK HERE THIS WEEK, I WERE TO SET OUT SOME OF THE MAIN ELEMENTS OF THE POSITION OF THE EUROPEAN ECONOMIC COMMUNITY AS REGARDS THE MATTER BEFORE US.

BY WAY OF INTRODUCTION, I WOULD LIKE TO RECALL THAT IN THE OPENING STATEMENT MADE BY THE COMMUNITY AT THE MEETING LAST NOVEMBER, IT WAS EXPLAINED THAT THE COMMUNITY HAD AGREED ON THE CREATION OF A 200 MILE ZONE WITH EFFECT FROM 1 JANUARY, 1977. IT WAS DECIDED BY THE COUNCIL OF MINISTERS THAT, AS FROM 1 JANUARY, MEMBER STATES WOULD, BY MEANS OF CONCERTED ACTION EXTEND THE LIMITS OF THEIR FISHING ZONES TO 200 MILES IN THE NORTH SEA AND ATLANTIC. THIS ACTION WAS ADOPTED IN THE LIGHT OF THE DECISIONS TAKEN BY SOME MEMBERS OF NEAFC AND OTHER COUNTRIES TO EXTEND THEIR FISHERY LIMITS, AND WAS BASED ON THE GUIDELINES EMERGING AT THE THIRD UNITED NATIONS AND CONFERENCE ON THE LAW OF THE SEA. UNLESS SUCH ACTION WAS TAKEN FURTHERMORE THE LEGITIMATE INTERESTS OF THE COMMUNITY WOULD NOT BE PROTECTED.

UNDER THE COMMUNITY SYSTEM, FISHING WITHIN THE LIMITS ESTABLISHED BY THE MEMBER STATES IS SUBJECT TO THE RULES SET BY THE COMMUNITY, WHICH ACTS IN THIS REGARD UNCLASSIFIED

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AS A COASTAL STATE. ACCORDINGLY, ACCESS WITHIN THESE LIMITS ON THE PART OF THIRD STATES REQUIRES THE APPROVAL OF THE COMMUNITY. THE COMMUNITY HAS THEREFORE NEGOTIATED, OR IS NEGOTIATING, AGREEMENTS WITH STATES WISHING TO FISH IN THESE WATERS.

IN CONSIDERING, IN THE LIGHT OF THIS SITUATION, THE QUESTION OF THE FUTURE OF NEAFC, THE COMMUNITY IS THUS BOUND TO HAVE REGARD TO THE RADICAL CHANGE THAT HAS OCCURRED IN THE CONDITIONS UNDER WHICH FISHING ACTIVITIES ARE CONDUCTED AND THE NEED FOR THE NEW ARRANGEMENTS TO TAKE DUE ACCOUNT OF THE POSITION OF THE COASTAL STATE. IT WAS FROM THE CONSIDERATION THAT THE EXISTING NEAFC CONVENTION NO LONGER PROVIDES AN ADEQUATE FOUNDATION ON WHICH TO PROCEED THAT THE MEMBER STATES OF THE COMMUNITY SUBMITTED NOTICES OF INTENTION TO WITHDRAW FROM THE CONVENTION. MOREOVER IT WILL IN ANY CASE BE NECESSARY FOR ANY FUTURE INSTRUMENT TO PROVIDE FOR PARTICIPATION BY THE COMMUNITY.

TURNING NOW TO THE REVISED DRAFT CONVENTION THAT WAS
PREPARED BY THE MEMBERS OF A WORKING GROUP, IN THEIR
INDIVIDUAL CAPACITY, IN JANUARY (DOC. SC/), I WOULD
LIKE TO THANK THE MEMBERS OF THAT GROUP, AND YOU YOUR-
SELF MR. CHAIRMAN, FOR THE EFFORTS UNDERTAKEN. IF IN
THE COURSE OF OUR DISCUSSIONS HERE I EXPRESS DIFFERENT
VIEWS OR DOUBTS OR HESITATION OVER SOME OF THE POINTS
IN THE TEXT, I DO NOT WISH TO REDUCE IN ANY WAY THE
GRATITUDE OF THE COMMUNITY FOR THE WORK DONE AND THE

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VALUE WE ATTACH TO IT. I THINK WE CAN ALL AGREE,
HOWEVER, THAT THE EXTENT OF THE CHANGE BROUGHT ABOUT
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BY THE 200 MILE SYSTEM, AND THE DIFFICULTIES THAT ARISE
IN IMPLEMENTING THAT SYSTEM, ARE NOT SUCH THAT IT WAS
POSSIBLE FOR THE WORKING GROUP TO WORK OUT, AT ONE
ATTEMPT, EXACTLY WHAT PROVISIONS ARE REQUIRED.

YOU HAVE TOLD US MR. CHAIRMAN THAT YOU WILL SEEK TO
ORIENTATE OUR DISCUSSIONS TOWARDS AN EXAMINATION
ARTICLE-BY-ARTICLE OF THE DRAFT. SINCE THERE ARE A
NUMBER OF GENERAL REMARKS CONCERNING THE APPROACH
TAKEN IN THE DRAFT THAT I SHOULD LIKE TO MAKE, I WOULD
LIKE, IF I MAY, TO GIVE THESE NOW, IN ORDER TO EXPLAIN
THE MAIN PRINCIPLES ON WHICH THE MORE PARTICULAR OBSER-
VATIONS OF THE COMMUNITY WILL BE BASED.

THE FIRST PRINCIPLE WHICH WILL GUIDE THE COMMUNITY IN
ITS WORK ON THE NEW DRAFT IS THAT FUTURE COMMUNITY PARTI-
CIPATION IN NEAFC SHOULD BE REFLECTED THROUGHOUT THE
NEXT TEXT BY THE USE OF THE TERM "CONTRACTING PARTIES"
TO DESCRIBE THE MEMBERS OF THE ORGANIZATION.

THE DRAFT BEFORE US PROPOSES TWO MAIN FUNCTIONS FOR THE
FUTURE NEAFC: FIRST, THAT IT SHOULD PROVIDE A FORUM
FOR THE EXCHANGE OF INFORMATION ON THE STATE OF FISH
STOCKS AND ON MANAGEMENT POLICIES; AND SECONDLY, THAT
NEAFC SHOULD PROVIDE A MEANS FOR THE ADOPTION OF RECOM-
MENDATIONS OR THE FURNISHING OF ADVICE AS REGARDS THE
MANAGEMENT OF FISH STOCKS.

THE TEXT SHOULD, IN THE VIEW OF THE COMMUNITY, BE DRAF-
TED IN CONFORMITY WITH THE FOLLOWING PRINCIPLES:

1. NEAFC SHOULD BE ABLE TO ADOPT RECOMMENDATIONS
HAVING EFFECT BEYOND THE LIMITS WITHIN WHICH A COASTAL
STATE EXERCISES FISHERIES JURISDICTION.
 2. IN ADOPTING ANY SUCH RECOMMENDATIONS NEAFC SHOULD
TAKE INTO ACCOUNT THE INTERESTS OF MEMBERS WHOSE VESSELS
HAVE TRADITIONALLY FISHED IN THE AREA IN QUESTION AND
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THE INTEREST OF ANY ADJACENT COASTAL STATE.

3. NEAFC SHOULD BE ABLE TO ADOPT RECOMMENDATIONS HAVING EFFECT WITHIN LIMITS UNDER COASTAL STATES' FISHERIES JURISDICTION, PROVIDED THAT THIS IS DONE AT THE REQUEST OF THE COASTAL STATE CONCERNED AND THAT THE RECOMMENDATION RECEIVES ITS AFFIRMATIVE VOTE.
4. NEAFC SHOULD BE ABLE TO GIVE ADVICE ON ANY MATTER RELATED TO THE MANAGEMENT OF FISH STOCKS UNDER COASTAL STATE FISHERIES JURISDICTION, IF THE COASTAL STATE SO REQUESTS. SUCH ADVICE SHOULD BE GIVEN IN ACCORDANCE WITH THE TERMS OF REFERENCE SPECIFIED BY THE COASTAL STATE. THE COMMISSION'S ADVICE WOULD NOT ORDINARILY BE SUBJECT TO A VOTE.

AN APPROACH ALONG THESE LINES, WOULD, IN THE OPINION OF THE COMMUNITY, PROVIDE A BASIS WHICH IS IN KEEPING WITH THE PRESENT SITUATION.

A NUMBER OF FURTHER CHANGES WOULD FOLLOW FROM THE APPROACH OUTLINED AND WOULD NEED TO BE REFLECTED IN THE TEXT.

THE VIEWS I HAVE ALREADY SET OUT WILL, HOWEVER, I TRUST HAVE BEEN SUFFICIENT TO INDICATE THE MAIN LINES OF THE COMMUNITY'S APPROACH, FOR THE CONSIDERATION OF OTHER PARTICIPANTS. UNQUOTE."

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Message Attributes

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Copy: SINGLE
Sent Date: 31-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
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Disposition Event:
Disposition History: n/a
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